1	Gordon & Silver, Ltd.	E-Filed On ///6/06	
	GERALD M. GORDON, ESQ.	L-1 ned on	
2	Nevada Bar No. 229 E-mail: gmg@gordonsilver.com BRIGID M. HIGGINS, ESQ.		
3	BRIGID M. HIGGINS, ESQ. Nevada Bar No. 5990		
4	E-mail: bmh@gordonsilver.com GREGORY E. GARMAN, ESQ.		
5	Nevada Bar No. 6654		
6	E-mail: geg@gordonsilver.com 3960 Howard Hughes Pkwy., 9th Floor		
7	Las Vegas, Nevada 89169 Telephone (702) 796-5555		
8	Facsimile (702) 369-2666 Attorneys for the Official Committee of Holders of Executor	ory Contract	
9	Rights through USA Commercial Mortgage Company ("Official Committee of Direct Lenders")		
10	UNITED STATES BANKRUPT	CY COURT	
11	FOR THE DISTRICT OF NEVADA		
12	In re:	Case Nos.:	
13	USA COMMERCIAL MORTGAGE COMPANY,	BK-S-06-10725-LBR BK-S-06-10726-LBR	
14	Debtor. In re:	BK-S-06-10727-LBR BK-S-06-10728-LBR	
15	USA CAPITAL REALTY ADVISORS, LLC,	BK-S-06-10729-LBR	
16	Debtor. In re:	JOINTLY ADMINISTERED	
	USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	Chapter 11	
17	Debtor.	_	
18 19	In re: USA CAPITAL FIRST TRUST DEED FUND, LLC,	NOTICE OF ENTRY OF STIPULATION AND ORDER TO EXTEND PROOF OF	
20	Debtor.	CLAIM BAR DATE FOR DIRECT LENDERS ONLY	
	In re: USA SECURITIES, LLC,	DIRECT LENDERS ONL	
21	Debtor.	Date: N/A	
22	Affects: All Debtors	Time: N/A	
23	☐ USA Commercial Mortgage Company☐ USA Capital Realty Advisors, LLC		
24	USA Capital Diversified Trust Deed Fund, LLC		
25	USA Capital First Trust Deed Fund, LLC USA Securities, LLC		
26			
27			
28			
LTD.			

GORDON & SILVER, LTD.
ATTORNEYS AT LAW
NINTH FLOOR
3960 HOWARD HUGHES PKWY
LAS VEGAS, NEVADA 89109
[702] 796-5555

100933-001/435750.doc

PLEASE TAKE NOTICE that an Stipulation and Order to Extend Proof of Claim Bar Date for Direct Lenders Only, a copy of which is attached hereto, was entered in the above-captioned matter on the 6th day of November, 2006.

DATED this _____ day of November, 2006.

GORDON & SILVER, LTD.

GERALD M. GORDON, ESO BRIGID M HIGGINS, ESO

GREGORY E. GARMAN, ESQ. 3960 Howard Hughes Pkwy., 9th Floor Las Vegas, Nevada 89169

	ALL STAMPS AND A STATE OF THE S	
1		
2		
3	Entered on Docket	Na Carrier
4	November 06, 2006	Need Head B. Bleede
5		Hon. Linda B. Riegle United States Bankruptcy Judge
6	GORDON & SILVER, LTD.	
7	GERALD M. GORDON, ESQ. Nevada Bar No. 229	
8	E-mail: gmg@gordonsilver.com BRIGID M. HIGGINS, ESQ.	
9	Nevada Bar No. 5990 E-mail: bmh@gordonsilver.com	
10	GREGORY E. GARMAN, ESQ. Nevada Bar No. 6654	
1 1	E-mail: geg@gordonsilver.com 3960 Howard Hughes Pkwy., 9th Floor	
12	Las Vegas, Nevada 89169 Telephone (702) 796-5555	
13	Facsimile (702) 369-2666	
14	Attorneys for the Official Committee of Holders of Executory Contract Rights through	
15	USA Commercial Mortgage Company	TADADECK COATDE
16	UNITED STATES BANKRUPTCY COURT	
17	FOR THE DISTRI	1
18	In re: USA COMMERCIAL MORTGAGE COMPANY, Debt	Case Nos.: BK-S-06-10725-LBR or. BK-S-06-10726-LBR
19	In re: USA CAPITAL REALTY ADVISORS, LLC,	BK-S-06-10727-LBR BK-S-06-10728-LBR
20	Debt	
21	USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debt	JOINTLY ADMINISTERED Chapter 11
22	In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debt	STIPULATION AND ORDER TO EXTEND PROOF OF
23	In re: USA SECURITIES, LLC,	CLAIM BAR DATE FOR DIRECT LENDERS ONLY
24		
25	Affects: All Debtors USA Commercial Mortgage Company	
26	USA Capital Realty Advisors, LLC	Date: N/A Time: N/A
27	USA Capital Diversified Trust Deed Fund, LLC USA Capital First Trust Deed Fund, LLC	Time, IVA
28 LTD	USA Securities, LLC	
LTD. V S PKWY	100933-001/434252_2.doc	

GORDON & SR.VER, LTD.
ATIOKNEYS AT LAW
NINTH FLOOR
3950 HOWARD HUGHES PKWY
LAS VECAS, NEVADA 89169
(702) 796-5555

1

11 12

9

10

13 14

15

16 17

18 19

2021

22

23

24 25

26

27

28

IT IS HEREBY STIPULATED and AGREED, by and between Official Committee of Holders of Executory Contract Rights through USA Commercial Mortgage Company ("Official Committee of Direct Lenders") by and through its attorney, the law firm of Gordon & Silver; Ltd., and USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital Trust Deed Fund, LLC (collectively the "Debtors"), by and through their attorneys, the law firms of Ray Quinney & Nebeker P.C. and Schwartzer & McPherson Law Firm; the Office of the United States Trustee (the "Trustee") by and through August B. Landis; the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "First Trust Equity Holders Committee") by and through its attorneys, the law firms of Stutman Treister & Glatt and Shea & Carlyon, Ltd.; the Official Committee of Unsecured Creditors of USA Commercial Mortgage Company (the "Unsecured Creditors Committee") by and through its attorney, the law firm of Lewis and Roca, LLP; and the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC (the "Diversified Trust Equity Holders Committee") by and through it attorneys, the law firms of Orrick Herrington & Sutcliffe, LLP and Beckley Singleton, Chtd. (collectively, the "Parties") the as follows:

WHEREAS, on April 13, 2006 (the "Petition Date"), the Debtors filed voluntary petitions for relief under Chapter 11, Title 11 of the United States Code. The Court approved joint administration without substantive consolidation on May 9, 2006.

WHEREAS, on the Petition Date, USA Commercial Mortgage Company was the servicer for a portfolio of approximately 115 commercial mortgage loans, with a total balance of approximately \$962 million. Most loans were funded by multiple parties, with over 3,600 direct lenders (the "Direct Lenders") holding an interest in one or more loans.

WHEREAS, on September 14, 2006, the Court entered an Order Setting Deadline To File Proofs of Claim And Proofs of Interest ("Bar Date Order") which established November 13, 2006 ("Bar Date") as the last date for individuals and entities, including Direct Lenders, to file a proof of claim against the Debtors.

WHEREAS, Debtors prepared and sent the Direct Lenders aggregated statements for

13

14

15

16

17

18

19

20

their respective loans for the period from the inception of the loan to June 30, 2006 ("June Statements").

WHEREAS, Debtors also sent aggregated statements to Direct Lenders for their respective loans for the period from July 1, 2006 to August 31, 2006 ("August Statements").

WHEREAS, after the dissemination of the June Statements and August Statements, it became clear to the Debtors that there were a significant number of Direct Lenders who were still confused about the balances owed them on the loans.

WHEREAS, in order to address the continuing confusion and misunderstandings of the Direct Lenders about the balances owed them on the loans, the Debtors have agreed to provide additional explanations to assist Direct Lenders in reading and understanding the June Statements and the August Statements and the information contained in those statements and to conduct an informational session for Direct Lenders as a means of providing these additional explanations.

WHEREAS, the Debtors, the Official Committee of Direct Lenders, the FTDF Committee, the Unsecured Creditors Committee, the Diversified Trust Equity Holders Committee and the U.S. Trustee's Office have agreed to extend the Bar Date for Direct Lenders only for a period of sixty (60) days through January 13, 2007.

NOW, THEREFORE, the Parties hereby stipulate and agree as follows that the Bar Date to file Proofs of Claim is hereby extended through and including January 13, 2007 for the Direct Lenders only.

day of November, 2006. DATED this

21 22

23

24

25

26 27

28

Attorneys for the Official Committee of Holders of Executory Contract Rights through USA Commercial Mortgage Company

GORDON & SILVER, LTD.

BRIGID M. HIGGINS, ESQ.

Las Vegas, Nevada 89169

GORDON

3960 Howard Hughes Pkwy., 9th Floor

EGORY E. GARMANLESO.

RALD 🕅

100933-001/434252_2.doc

SCHWARTZER & MCPHERSON LAW FIRM

Bv: /S/ Lenard E. Schwartzer. LENARD E. SCHWARTZER, ESQ. JEANETTE E. MCPHERSON, ESQ.

And

RAY QUINNEY NEBEKER, P.S. ANNETTE W. JARVIS, ESQ.

Attorneys for Debtors

GORDON & SILVER, LTD. ATTORNEYS AT LAW NINTH FLOOR 3960 HOWARD HUGHES PKWY LAS VEGAS, NEVADA 89169 (702) 796-5555

H		
1 2	OFFICE OF THE UNITED STATES TRUSTEE	LEWIS AND ROCA, LLP
3	Ву:	By: /s/ Rob Charles
4	AUGUST LANDIS, ESQ. 300 Las Vegas Blvd., So. #4300	ROB CHARLES, ESQ. SUSAN M. FREEMAN, ESQ.
5	Las Vegas, NV 89101	3993 Howard Hughes Pkwy, Suite 600 Las Vegas, NV 89169
6		Attorneys for Official Committee of
7		Unsecured Creditors of USA Commercial Mortgage Company
8	ORRICK, HERRINGTON & SUTCLIFFE, LLP	STUTMAN TREISTER & GLATT, P.C.
10	By: /s/ Anne M. Lorditch	Ву
11	MARC A. LEVINSON, ESQ. LYNN TRINKA ERNCE, ESQ.	FRANK A. MEROLA, ESQ. EVE H. KARASIK, ESQ. ANDREW M. PARLEN, ESQ.
12	and	•
13	BECKLEY SINGLETON, CHTD.	and
14	BRETT A. AXELROD, ESQ. ANNE M. LORDITCH, ESQ.	SHEA & CARLYON, LTD. JAMES PATRICK SHEA, ESQ.
15	Attorneys for the Official Committee	CANDACE C. CARLYON, ESQ.
16	of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC	Attorneys for the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC
17	ORDER	
18		to file Proofs of Claim is hereby extended through
19	and including January 13, 2007 for the Direct L	·
20	PREPARED AND SUBMITTED	enders <u>only</u> .
21	GORDON & SILVER, LTD.	
22	GORBON & SILVER, LTD.	
23	By: In hithy	
24	GERALD M. GORDÓN, ESQ. GREGÓRY E. GARMAN, ESQ.	
25	BRIGIOM. HIGGINS, ESQ. 3960 Howard Hughes Pkwy., 9th Floor	
26	Las Vegas, Nevada 89169 Attorneys for the Official Committee	
27	of Holders of Executory Contract Rights throug USA Commercial Mortgage Company	
28		###
R, LTD.		4

GORDON & SILVER, LTD.
ATIORNEYS AT LAW
NINTH FIGOR
3960 HOWARD HUGHFS PKWY
LAS VEGAS, NEVADA 89169
(702) 796-5555

100933-001/434252_2.doc

.

1 2	OFFICE OF THE UNITED STATES TRUSTEE	LEWIS AND ROCA, LLP
3	Ву:	Ву:
4	Las Vegas, NV 89101	ROB CHARLES, ESQ. SUSAN M. FREEMAN, ESQ. 3993 Howard Hughes Pkwy, Suite 600
5		Las Vegas, NV 89169
6 7		Attorneys for Official Committee of Unsecured Creditors of USA Commercial Mortgage Company
8		
9	ORRICK, HERRINGTON & SUTCLIFFE, LLP	STUTMAN TREISTER & GLATT, P.C.
10	By:	ByFRANK A. MEROLA, ESQ.
11	MARC A. LEVINSON, ESQ. LYNN TRINKA ERNĆE, ESQ.	EVE H. KARASIK, ESQ. ANDREW M. PARLEN, ESQ.
12	and	and
13	BECKLEY SINGLETON, CHTD. BRETT A. AXELROD, ESQ.	SHEA & CARLYON, LTD.
14	ANNE M. LORDITCH, ESQ.	JAMES PATRICK SHEA, ESQ. CANDACE C. CARLYON, ESQ.
15 16	Attorneys for the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC	Attorneys for the Official Committee of Equity Security Holders of USA
17		Capital First Trust Deed Fund, LLC
18	ORI	
19		file Proofs of Claim is hereby extended through
20	and including January 13, 2007 for the Direct Lenders only.	
21	PREPARED AND SUBMITTED	
22	GORDON & SILVER, LTD.	
23	By: GERALD M. GORDON, ESQ.	
24	GREGORY E. GARMAN, ESQ.	
25	BRIGID M. HIGGINS, ESQ. 3960 Howard Hughes Pkwy., 9th Floor Las Vegas, Nevada 89169	
26	Attorneys for the Official Committee	
27	of Holders of Executory Contract Rights through USA Commercial Mortgage Company	
28		###
er, Lyd.		

Gordon & Silver, Ltd. Audrheys At Law Marii Roor 3980 Howard Hughes Prwy Las Vegaz, Nevada 89169 (702) 796-5555

100933-001/434252_2,doc

1	OFFICE OF THE UNITED STATES	LEWIS AND ROCA, LLP	
2	TRUSTEE A A A THE		
3	By: #10198776 ///// /// AUGUST EAMDIS, ESQ.	By: ROB CHARLES, ESQ.	
4 5	300 Las Vegas Blvd., So. #4300 Las Vegas, NV 89101	SUSAN M. FREEMAN, FSQ 3993 Howard Hugies Pkwy, Suite 600 Las Vegas, NV 89169	
6 7		Attorneys for Official Commutee of Dissecuted Conditions at USA Commuteral Mortgage Company	
8	ORRICK, HERRINGTON & SUTCLIFFE LLP	STUTEMAN TREISTER & GLATT, P.C.	
10	By:	13 y	
11	MARC A FEVINSON ESQ. FYNN TRINKA ERNCE, ESQ	FRANK A. MEROLA, ESQ. EVE II. KARASIK, ESQ ANDREW M. PARLEN, ESQ	
12	अपने	anté	
13 14	BECKLEY SINGLETON, CHTD. BREIT A. AXELROD, ESQ. ANNE M. LORDITCH, ESQ.	SHEAR CARLYON, LED JAMES PATRICK SHEAT SQ	
i.5	Afterneys for the Official Committee	CANDACE C. CARLYON, ESQ.	
1ri	of Equity Security Briders of USA Capital Diversified Trust Deed Fund, U.C.	Attorneys for the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LTC	
17	CARIDAR		
18	TI IS SO ORDERED that the Bar Date to	file Proofs of Claim is hereby extended through	
ţ0	and useluding January 43, 2007 for the Direct Lo		
20	PREPARED AND SUBMITTED	Control of the control	
2:	GORDON & SILVER, LTD.		
22	THE TAXABLE PROPERTY OF THE PARTY OF THE PAR		
2,3	By. GERALD M. GORDON, ESQ.		
21	GREGORY F. GARMAN, ESQ		
25	BRIGID M. HIGGINS, FSQ. 3960 Howard Hughes Pkwy., 9th Floor		
26	Las Vegos, Novada 89169 Autoritys for the Official Commutee		
27	of Holders of Executory Contract Rights through USA Commercial Mortgage Company		
28		totali	
, ta A			

Subject of Subject of the American Company of the Amer